



1FW 3738

Attorney Docket No.: TRNSV-001C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Makower et al. )  
Application No. 09/708,923 ) Art Unit: 3738  
Filed: November 8, 2000 ) Examiner: Isabella, David J.  
For: Methods and Apparatus for )  
Bypassing Arterial Obstructions and/or )  
Performing Other Anatomical Conduits )

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Transmittal Letter**

Dear Sir:

- In accordance with Rule 136, the Commissioner is hereby petitioned for a \_\_\_\_\_ month extension of time, extending to \_\_\_\_\_, 2004 the period for response to the Office action dated **April 1, 2004**. Check No. \_\_\_\_\_ for \$0.00 is enclosed.
- Enclosed is a certified copy of Serial No. \_\_\_\_\_ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- Enclosed herewith is a reply to Notice of Non-Compliance for filing in relation to the above-identified application. Entry and consideration of this Notice of Non-Compliance is requested.

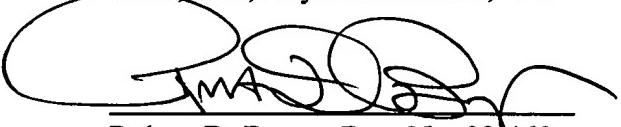
- Check No. \_\_\_ is enclosed covering the additional filing fees in the amount of \$0.00 , with the fees calculated as follows:

(Col. 1)	(Col. 2)	(Col. 3)	Small Entity	Other than a Small Entity
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Additional Extra	Rate	Fee
Total claims	18	- 19 = 0	x 9	\$ 0 Or x 18 \$
Independent claims	1	- 1 = 0	x 42	\$ 0 Or x 84 \$
First presentation of multiple dependent claims			+ 140	\$ Or + 280 \$
			Total	\$ 0 Or Total \$

- The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.

Respectfully submitted,  
Stout, Uxa, Buyan & Mullins, LLP

Date: May 3, 2004



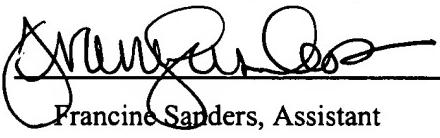
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#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 3, 2004.

Dated: May 3, 2004

By:   
Francine Sanders, Assistant

Appl. No. 09/708,923  
Reply to Office Action of April 1, 2004  
Docket No. TRNSV-001C



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	)	Examiner: Isabella, D.
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Procedures	)	

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P.O. Box 1450  
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**REPLY TO NOTICE OF NON-COMPLIANCE**

**DATED APRIL 1, 2004**

Sir:

The previously submitted amendment was prepared in the format that was provided by the U.S. Patent and Trademark Office in the "Revised Notice" dated February 13, 2003 (copy attached). Thus, the amendment is believed to have complied with all requirements of the applicable regulations. Nonetheless, to advance prosecution of this application without further delay, please substitute the following for the previously filed amendment/response:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 15 of this paper.